

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ISAIAH THOMAS WILLOUGHBY,

Defendant.

NO. CR20-111 JCC

UNITED STATES'
DISPOSITION MEMORANDUM

A. Introduction.

Isaiah Willoughby has a serious alcohol problem. It's not just a personal issue – it's a public safety concern. Yet, Willoughby denies he has an issue with alcohol, even while his criminal activities and poor decision making are a direct result of his alcohol abuse. At this point, the Court should impose a sanction significant enough to impress upon Willoughby that his problem is real and that it adversely affects not only his life but the community at large. The government recommends a term of imprisonment for 90 days, which will hopefully be sufficient to achieve this purpose.

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B. The Current Violations.

The Probation Office has filed five violations against Willoughby. The first four violations fit a pattern that has become all too familiar – Willoughby got drunk (Violation 4) and then committed a series of crimes (Violations 1-3). The incident is summarized in the Seattle Police Department reports as follows:

[First responding officer] The initial information from dispatch stated, "J/O, MALE SHOPLIFTING BRANDISHED KNIFE WHEN CONFRONTED BY SEC. NOOTHER WPNS." The suspect description on the incident was as follows: "BM, 25, 6'0, 180 POUNDS, BRIGHT BEANIE, GRN SEAHAWKS JKT, BLU JEANS, TENNIS SHOES."

On arrival officers located suspect/WILLOUGHBY, ISAIAH THOMAS, and detained him on site. I located the complainant who was victim/COOPER, Christopher.

While investigating I learned that suspect/WILLOUGHBY entered the PCC market at the response location and attempted to steal items which were recovered by COOPER, the onsite security guard. COOPER then observed WILLOUGHBY cross the street to Bartell Drugs where he stole another item. COOPER witnessed the security alarm alert as WILLOUGHBY exited the Bartell Drugs store. COOPER then observed WILLOUGHBY place the stolen item in a bush.

COOPER retrieved the stolen item to return it to Bartell Drugs, and as COOPER picked up the stolen item, WILLOUGHBY who was still standing nearby, brandished a black pocket knife and held it out while demonstrating aggressive body language and stated something to the effect of, "What are you gonna do, call the cops?" COOPER then called 911.

On scene COOPER provided a show up, and verified that WILLOUGHBY who was now in custody was the suspect who shoplifted at both PCC and Bartells Drugs, before brandishing weapon towards COOPER. I collected a recorded statement from COOPER and flagged it on my BWV. I also recorded the shoplift that occurred at Bartells Drugs and flagged it on my BWV [].

A black folding pocket knife was removed from WILLOUGHBY's person. I placed the knife into evidence at the North Precinct.

1 [Second responding officer] I observed WILLOUGHBY still had a knife in
 2 his hand with the blade exposed. I determined probable cause existed to
 3 contact and arrest WILLOUGHBY. I therefore contacted him at NE 70th
 4 ST / Oswego Pl NE. He was standing on the North sidewalk and had a
 5 black folding knife in his right hand. I heard Ofc. Carter identify himself as
 6 a police officer and order WILLOUGHBY to drop the knife. I provided
 7 TASER support while Ofc. Carter provided lethal cover. WILLOUGHBY
 8 tossed the knife to the ground.

9 WILLOUGHBY eventually complied with orders to get on the ground, but
 10 was initially argumentative. After having WILLOUGHBY prone on the
 11 ground, Ofc. Carter and I placed him in handcuffs.

12 I then observed a uniformed security officer. I spoke with the security
 13 officer who advised he was the complainant. He advised he was positive
 14 WILLOUGHBY was the suspect he called police about. Meanwhile, Ofc.
 15 Weiss, the primary officer, arrived on scene. He agreed to speak with the
 16 security guard.

17 I returned to Ofc. Carter and I seized the knife on the ground. I later
 18 provided it to Ofc. Weiss. Ofc. Carter provided me WILLOUGHBY's
 19 identification. I observed the male detained matched the photograph on
 20 WILLOUGHBY's ID. I conducted a records check and learned
 21 WILLOUGHBY had a threats to officers hazard for pulling a knife on
 22 police. I also learned he was monitored by Federal Probation. I contacted []
 23 with US Probation and advised her of the incident.

24 The police officers arrested Willoughby for committing the crimes of Unlawful
 25 Use of a Weapon, Harassment, and Theft. The Seattle City Attorney's Office charged
 26 Willoughby with the single misdemeanor offense of Unlawful Use of a Weapon to
 27 Intimidate Another, in violation of Seattle Municipal Code Section 12A.14.075.
 However, the case was recently dismissed because the primary witness/victim was
 uncooperative and failed to appear at trial. For the same reason, the government will
 move to dismiss Violations 1-3; Willoughby is expected to admit Violation 4 (consuming
 alcohol).¹

1 Violation 5 alleges that Willoughby consumed alcohol three days after his arrest on the above incident. The government will move to dismiss this violation because it is too close in time to Violation 4 to know whether the alcohol remained in Willoughby's system or if he drank again.

1 **C. Sentencing Recommendation.**

2 It will be easy for the defense to argue that the conduct underlying Violations 1-3
3 is being dismissed and that, as a result, the Court should not be concerned with it. If this
4 was a one-off incident, perhaps the argument would have some force behind it. But it's
5 not.

6 As the Court will recall, it was alcohol abuse that contributed heavily to
7 Willoughby's original federal Arson offense. Similarly, much of Willoughby's extensive
8 criminal history has been fueled by his consumption of alcohol, including several
9 concerning crimes involving violence and/or victims. *See, e.g.* PSR ¶ 35 (Assault
10 involving threats to shoot family members and punching younger victim); ¶ 36 (Violation
11 of Protection Order); ¶ 37 (Computer Trespass involving posting over the internet a
12 surreptitiously taken sex video of Willoughby's partner); ¶38 (Cyberstalking involving
13 death threats); ¶ 39 (Domestic violence assault involving punching and hitting female
14 victim); ¶ 40 (Trespass involving attempt to pull knife on arresting officers).

15 More recently, the Court revoked Willoughby's term of supervision and imposed a
16 five-month custodial sentence after he drank, failed to go to treatment, absconded from
17 supervision, and was found passed-out drunk in the lobby of a Las Vegas hotel, at which
18 time he attempted to assault a security guard.

19 Mr. Willoughby was found asleep [] on a sofa located in the hotel's lobby.
20 When the hotel's security officer asked Mr. Willoughby to leave, Mr.
21 Willoughby became "aggressive and uncooperative," and "reached into his
22 pocket to grab a knife." It was at that time Mr. Willoughby was detained by
Bellagio Hotel security until Las Vegas Metropolitan police arrived.

23 Dkt. 90 (USPO Memorandum) at 2.

24 Since then, Willoughby has repeatedly violated the terms of supervised release by
25 drinking alcohol and failing to attend treatment sessions. The Court has been patient with
26 Willoughby, twice continuing the term of supervised release without any further
27 sanctions.

1 And now, Willoughby got drunk again, shoplifted items from a PCC and Bartell
2 store, and brandished a knife on the security guard who tried to intercede.

3 Willoughby has shown, time after time, that he is a danger to the community when
4 he drinks. This issue is significantly exacerbated by the fact that he denies the issue.

5 Mr. Willoughby denies he has an issue with alcohol, despite all of the
6 negative consequences he has experienced as a result of his decision to
7 consume alcohol and participate in antisocial activities. He admits the
8 offense he is on supervision for occurred after consuming alcohol while
9 grieving the death of a close friend. His violations in June 2023 occurred
10 following the death of his father, and the current alleged violations occurred
11 following the death of his mother in March 2024. Both situations resulted
12 with him consuming alcohol and becoming aggressive.

13 ***

14 During the discussion he glossed over these examples and maintained focus
15 on how he feels “the system” is suppressing him.

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17 Mr. Willoughby has struggled with a substance use disorder throughout
18 supervision, and his behavior following his use of alcohol often includes
19 acts of violence. Attempts to address his alcohol use disorder have been
20 made, but based on his statements, it appears he remains ambivalent about
21 his treatment needs.

22 USPO Sentencing Recommendation at 3-4.

23 Although Willoughby has accomplished some commendable things during his
24 time on supervised release, his substance abuse issues need to be controlled for him to
25 spend time safely and successfully in the community. That will require Willoughby to
26 face up to the problem and accept the help being offered by the Probation Office.

27 The government does not believe this will happen unless the Court imposes a
custodial sanction sufficient to get Willoughby’s attention, forcing him to focus on
abiding by all of the conditions of release. Specifically, we recommend that the Court
revoke the term of supervised release, impose a custodial sentence of 90 days, and

1 reimpose the maximum remaining term of supervision of 24 months, with all the
2 conditions recommended by the Probation Office.

3 DATED this 17th day of July, 2024.

4 Respectfully submitted,

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